Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-41. (Cancelled)

42. (Currently amended) A surgical implant for replacing functions of a facet joint between adjacent vertebrae, the surgical implant comprising:

a first biocompatible attachment device for attaching to a first pedicle of a superior vertebrae;

a second biocompatible attachment device for attaching to a second pedicle of an inferior vertebrae; and

a flexible member attached to the first and second biocompatible attachment devices configured in a manner to allow motion at the facet joint;

wherein the first and second biocompatible attachment devices are positioned, and the flexible member is adapted, so that the surgical implant applies a distracting force between the superior and inferior vertebrae sufficient for maintaining the first and second pedicles at a spaced-apart distance,

wherein the flexible member includes:

a first component comprising: an elongated body and a first joint element having a first opening;

a second component comprising: an elongated body and a second joint element having a second opening wherein the second joint element is coupled with the first joint element;

an elastic material disposed through both the first and second openings in a manner that dynamically secures the first and second components ~~rigid portions~~ together and elastically flexes in a manner that permits relative movement between the first and second components ~~rigid portions~~; and

a connector covering the first joint element and the second joint element, wherein the connector comprises the elastic material.

43. (Previously presented) The posterior device of claim 42 wherein the first component further comprises a pointed tip adapted for percutaneous insertion of the posterior device.

44. (Previously presented) The posterior device of claim 42 wherein the second component further comprises a pointed tip adapted for percutaneous insertion of the posterior device.

45. (Previously presented) The posterior device of claim 42 wherein the connector is olive-shaped.

46. (Previously presented) The posterior device of claim 42 wherein the first component and the second component are coupled at an angle of approximately 45° to the horizon to simulate the orientation of the facet joint.

47. (Previously presented) The posterior device of claim 42 wherein the first component and the second component are coupled at an angle of approximately 60° to an axial plane and 20° to an frontal plane of a human body.

48. (Previously presented) The posterior device of claim 42 wherein the first component and the second component are coupled at an angle of approximately 90° to an axial plane and 45° to an frontal plane of a human body.

49.-51. (Cancelled)

52. (Previously presented) The posterior device of claim 60 wherein the first elongated body further comprises a pointed tip adapted for percutaneous insertion of the posterior device.

53. (Previously presented) The posterior device of claim 60 wherein the second elongated body further comprises a pointed tip adapted for percutaneous insertion of the posterior device.

54. (Previously presented) The posterior device of claim 60 wherein the connector is olive-shaped.

55. (Previously presented) The posterior device of claim 60 wherein the first elongated body and the second elongated body are coupled at an angle of approximately 45° to the horizon to simulate the orientation of the facet joint.

56. (Previously presented) The posterior device of claim 60 wherein the first elongated body and the second elongated body are coupled at an angle of approximately 60° to an axial plane and 20° to an frontal plane of a human body.

57. (Previously presented) The posterior device of claim 60 wherein the first elongated body and the second elongated body are coupled at an angle of approximately 90° to an axial plane and 45° to an frontal plane of a human body.

58. (Cancelled)

59. (Cancelled)

60. (Previously presented) A prosthetic device for replacing functions of a facet joint between adjacent vertebrae, the prosthetic device comprising:

one or more flexible posterior devices configured to replace main functions of the facet joint, having a first biocompatible attachment device configured to attach to a first transverse process, and a second biocompatible attachment device configured to attach to a second transverse process, and wherein the one or more flexible posterior devices includes a joint component positioned between the first and second biocompatible attachment devices,

wherein the one or more flexible posterior devices comprises:

a first elongated body; and

a second elongated body,

wherein the joint component includes:

a first element associated with the first elongated body, the first element having a first opening, and

a second element associated with the second elongated body, the second element having a second opening, wherein the second element is coupled with the first element by an elastic material disposed in both the first and second openings; and

a connector covering the first element and the second element wherein the connector comprises the elastic material.

61. (New) A surgical implant for replacing functions of a facet joint between adjacent vertebrae, the surgical implant comprising:

a first biocompatible attachment device for attaching to a first pedicle of a superior vertebrae;

a second biocompatible attachment device for attaching to a second pedicle of an inferior vertebrae; and

a flexible member attached to the first and second biocompatible attachment devices configured in a manner to allow motion at the facet joint;

wherein the first and second biocompatible attachment devices are positioned, and the flexible member is adapted, so that the surgical implant applies a biasing distracting force between the superior and inferior vertebrae sufficient for maintaining the first and second pedicles at a spaced-apart distance,

wherein the flexible member includes:

a first component comprising: an elongated body and a first joint element having a first opening;

a second component comprising: an elongated body and a second joint element having a second opening wherein the second joint element is coupled with the first joint element;

an elastic material that flexes to impart flexibility to the flexible member, the elastic material being disposed through both the first and second openings in a manner that dynamically secures the first and second components together and elastically flexes in a manner that permits relative movement between the first and second components and the superior and inferior vertebrae; and

a connector covering the first joint element and the second joint element, wherein the connector comprises the elastic material.